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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,798	03/30/2001	Teruhiro Yamada	263/128	9163

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EXAMINER
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SALL, EL HADJI MALICK

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/822,798

Applicant(s)

YAMADA ET AL.

Examiner

El Hadji M. Sall

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) 10-39 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____  |

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**1. DETAILED ACTION**

This action is responsive to the application filed on March 30, 2001. Claims 1-39 are pending. Claims 10-39 are cancelled. Claims 1-9 are elected. Claims 1-9 represent user support apparatus and system using agents.

**2. *Claim Rejections - 35 USC § 102***

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

**3.** Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Fields et al. U.S. 6,412,008.

Fields teaches the invention as claimed including system and method and method for cooperative client/server customization of web pages.

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As to claim 1, Fields teaches a user support apparatus comprising:

an agent storage which stores data of a first agent being dedicated to a user serving based on information of the user and data of a second agent being an expert of a specific area (figure 2; column 7, lines 2-3, Fields discloses The server reads the user agent string (step 124), and checks to see if the user agent string is in its database (step 126)); and

an agent output comp, which outputs the first and second agents, derived from said data (abstract, Fields discloses... computer-usable medium for customizing and displaying a network file distributes customization tasks between a client and a server...);

wherein the first agent, when the second agent selects information necessary to serve the user, presents a selection guide to the second agent based on the user information in a manner that the user can recognize the presentation of the guide (abstract, Fields discloses... This customization may be based on the return customization information from the server, other user preferences known by the client, and/or current conditions at the client. After the client-side customization is complete, the final customized file is displayed by the client...).

As to claim 2, Fields teaches the apparatus of claim 1, further comprising an interface through which the user inputs an instruction, wherein the second agent selects the information putting higher priority on the input instruction than the presented guide (abstract, Fields discloses a client sends a request for a network file, such as a Web page, to a server... the server-side customization program may also analyze the network file, and may embed return customization information in the customized network file. The client receives the customized network file, including the return customization information, from the server... After the client-side customization is complete, the final customized file is displayed by the client...; column 4, lines 47-50, Fields discloses these preferences may change based on time of day, network traffic,

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or other factors, such as memory or storage resources, media formats, or traffic prioritization)

As to claim 3, Fields teaches the apparatus of claim 1, wherein the second agent is so configured to respond to the first agent when the guide is presented, and wherein the first and second agents collaborate while having conversation (abstract, Fields discloses...the server-side customization program may also analyze the network file, and may embed return customization information in the customized network file. The client receives the customized network file, including the return customization information, from the server...)

As to claim 4, Fields teaches the apparatus of claim 1, wherein the first and second agents start conversation when time elapsed for the selection of the information exceeds a predetermined value (figure 8; abstract, Fields discloses...After the client-side customization is complete, the final customized file is displayed by the client...)

As to claim 5, Fields teaches a user support apparatus comprising:

a front processor which works at a user interface level (figure 1, item 10; column 10, lines 42-49, Fields discloses user interface adapter 422 for connecting keyboard 424, mouse 426 having buttons 417a and 417b, speaker 428, microphone 432, and/or other user interface devices such as a touch screen device 429, to bus 412, communications adapter 434 for connecting the information handling system to a data processing network, and display adapter 436 for connecting bus 412 to display device 438); and

a middle processor which handles and stores data to be presented to the user via the front processor (figure 1, item 12; column 3, lines 44-51, Fields discloses plurality of Internet client machines 10 are connectable to a computer network Internet Service Provider (ISP) 12 via a network, such as dialup telephone network 14. As is

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known, the dialup telephone network usually has a given, limited number of connections 16a-16n. ISP 12 interfaces client machines 10 to the remainder of network 18, which includes a plurality of server machines 20);

wherein the front processor comprises an agent storage which stores data of a first agent being dedicated to the user serving based on information of the user and data of a second agent being an expert of a specific area (figure 2; column 7, lines 2-3, Fields discloses The server reads the user agent string (step 124), and checks to see if the user agent string is in its database (step 126)); and

wherein the first and second agents are designed in said data so that the first agent, when the second agent requests the middle processor provide information necessary to serve the user, presents a selection guide to the second agent based on the user information in a manner that the user can recognize the presentation of the guide (abstract, Fields discloses... This customization may be based on the return customization information from the server, other user preferences known by the client, and/or current conditions at the client. After the client-side customization is complete, the final customized file is displayed by the client...).

As to claim 6, Fields teaches a user support apparatus comprising:

a front processor which works at a user interface level (figure 1, item 10; column 10, lines 42-49, Fields discloses user interface adapter 422 for connecting keyboard 424, mouse 426 having buttons 417a and 417b, speaker 428, microphone 432, and/or other user interface devices such as a touch screen device 429, to bus 412, communications adapter 434 for connecting the information handling system to a data processing network, and display adapter 436 for connecting bus 412 to display device 438); and

a back processor, which acquires data to be presented to the user from outside (figure 1, item 20; abstract, Fields discloses... The client receives the customized network file, including the return customization information, from the server...);

wherein the front processor comprises an agent storage which stores data of a first agent being dedicated to the user serving based on information of the user and

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data of a second agent being an expert of a specific area (figure 2; column 7, lines 2-3, Fields discloses The server reads the user agent string (step 124), and checks to see if the user agent string is in its database (step 126)); and

wherein the first and second agents are designed in said data so that the first agent, when the second agent requests the back processor provide information necessary to serve the user, presents a selection guide to the second agent based on the user information in a manner that the user can recognize the presentation of the guide (abstract, Fields discloses... This customization may be based on the return customization information from the server, other user preferences known by the client, and/or current conditions at the client. After the client-side customization is complete, the final customized file is displayed by the client...).

As to claim 7, Fields teaches a user support apparatus comprising memory, program modules loaded on the memory and a CPU to execute the modules,

wherein the modules include functions of executing a first agent and a second agent (column 1, lines 21-23, Fields discloses the clients and servers may act as central control units for providing access to files, programs, and program execution to the individual computers connected within the network),

the first agent being represented as a character to bridge the user and the apparatus and to serve the user in a user-dependent manner based on information of the user (figure 10; figure 11; column 4, lines 58-64, Fields discloses An HTTP header includes user agent string 52, which typically includes the Internet address (i.e. IP address), platform, browser, and browser revision number of the requesting client. In addition, the HTTP header shown in FIG. 3A includes corporate options 54 and personal options 56. These options tell the server how to customize the requested network file), and

the second agent being presented as a character to bridge the user and the apparatus and to serve the user for a specific area as an expert thereof (figure 10; figure 11; column 10, lines 14-16, fields discloses sending a file request, from the

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requesting client to a server, wherein the file request includes client device data and one or more-user specified viewing options), and

wherein the first agent, when the second agent selects information necessary to serve the user, presents a selection guide to the second agent based on the user information in a manner that the user can recognize the presentation of the guide (abstract, Fields discloses... This customization may be based on the return customization information from the server, other user preferences known by the client, and/or current conditions at the client. After the client-side customization is complete, the final customized file is displayed by the client...).

As to claim 8, Fields teaches a user support apparatus comprising:

an agent storage which stores data of a first agent and a second agent which bridge a user and the apparatus (figure 2; column 7, lines 2-3, Fields discloses The server reads the user agent string (step 124), and checks to see if the user agent string is in its database (step 126)); ; and

an agent output unit, which outputs the first and second agents, derived from said

data (abstract, Fields discloses... computer-usable medium for customizing and displaying a network file distributes customization tasks between a client and a server...);

wherein the first and second agents are so configured to collaborate while having conversation recognizable from the user when the user requests a given service (abstract, Fields discloses... a network file distributes customization tasks between a client and a server. A client sends a request for a network file, such as a Web page, to a server. The request may include information regarding the client machine type, browser, and customization options (i.e. preferences)...).

As to claim 9, Fields teaches the apparatus of claim 8, wherein a process to optimize the service for the user is explicitly expressed in the conversation (column 3, lines 55-58, Fields discloses client machine typically includes a suite of known Internet



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tools, including Web browser 13, to access the servers of the network and thus obtain certain services)

**7. Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to El Hadji M Sall whose telephone number is 571-272-4010. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-4010.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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PRIMAHT EXAMINER